

**FILED**

OCT 31 2018

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

Clerk, U.S. District Court  
District Of Montana  
Helena

**BUTTE DIVISION**

UNITED STATES OF AMERICA ex  
rel. REMBERT and PARADISE,

CV 15-80-BU-SEH

Relators,

**ORDER**

vs.

BOZEMAN HEALTH DEACONESS  
HOSPITAL, et. al.,

Defendants.

The parties have filed a Joint Stipulation for Dismissal with Prejudice<sup>1</sup> of this *qui tam* action prosecuted by Relators pursuant to the federal False Claims Act<sup>2</sup> and the Montana False Claims Act.<sup>3</sup>

---

<sup>1</sup> Doc. 461.

<sup>2</sup> 31 U.S.C. §§ 3729–3733 (2018).

<sup>3</sup> MONT. CODE ANN. §§ 17-8-401 to -416 (2018).

The parties' Joint Stipulation for Dismissal indicates that pursuant to the settlement agreement reached, the Relators will receive a portion of the settlement proceeds consistent with 31 U.S.C. § 3730(d)(2).<sup>4</sup> The remainder of the settlement proceeds will be allocated to the United States and the State of Montana.<sup>5</sup> Additionally, pursuant to the settlement agreement reached, the Relators will receive from Defendants an agreed-upon amount for reasonable and necessarily-incurred expenses and attorneys' fees, in accordance with 31 U.S.C. § 3730(d)(2).<sup>6</sup>

The parties, the United States, and the State of Montana have reviewed and consent to all terms of the settlement agreement and agree that all of its terms are reasonable and appropriate under the circumstances.<sup>7</sup> Pursuant to 31 U.S.C. § 3730(b)(1), the United States, on its own behalf and on behalf of the State of Montana, upon determination that the terms of the settlement agreement reasonably and fairly allocate the settlement funds among the Relators and the United States, notified the Court that the Attorney General consents to the dismissal of this *qui tam* action with prejudice.<sup>8</sup>

---

<sup>4</sup> See Doc. 461 at 2.

<sup>5</sup> See Doc. 461 at 2.

<sup>6</sup> See Doc. 461 at 2.

<sup>7</sup> See Docs. 461 at 2 and 462 at 2.

<sup>8</sup> See Doc. 462 at 2.

The Court will not disturb the settlement agreement reached by the parties to which the United States and the State of Montana have also consented. On that basis, the Court approves dismissing this case with prejudice.

Accordingly, IT IS ORDERED that, pursuant to 31 U.S.C. § 3730(b)(1) and the authority of this Court, this action is dismissed with prejudice, as fully and finally settled.

This matter is CLOSED.

DATED this 31<sup>st</sup> day of October, 2018.

  
\_\_\_\_\_  
SAM E. HADDON  
United States District Judge